

Appl. No. 09/558,945  
Amd. Dated September 27, 2005  
Reply to Office Action of May 27, 2005

**Amendment to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (currently amended): A method of extending promotional discounts on items for sale to consumers performed by at least one computer network system, comprising:

identifying, using the at least one computer network system, a consumer by a unique identifier;

promoting a first selected item with a discount or special price to said identified consumer, wherein the discount or special price is granted upon purchase of said first selected item by said identified consumer within a predetermined time period;

determining, using the at least one computer network system, ~~if whether~~ said identified consumer ~~has acknowledged~~ has made an acknowledgement of said promoting within the predetermined time period, said acknowledgement not including an attempt by said identified consumer to purchase said first selected item; and

prolonging, using the at least one computer network system, the promoting beyond the predetermined time period upon determining that said identified consumer ~~has acknowledged~~ made the acknowledgement of said promoting within the predetermined time period;

~~wherein the prolonging for said identified consumer is independent of availability of the first selected item during the predetermined period.~~

Claim 2 (original): The method of claim 1 wherein said discount or special price comprises a free sample.

Claim 3 (original): The method of claim 1 wherein said discount or special price comprises a reduction in price for a plurality of items.

Claim 4 (original): The method of claim 1 wherein said discount or special prices comprises points that can be accumulated and redeemed for related or unrelated items or cash in the future.

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Claim 5 (previously presented): The method of claim 1 wherein said promoting comprises sending mail to said identified consumer and wherein said predetermined time period commences when said direct mail is to reach said identified consumer.

Claim 6 (previously presented): The method of claim 1 wherein said promoting comprises posting a notice of said discount or special price for said first selected item on a kiosk at a location selling said item; and said determining comprises determining if a visit to said kiosk within the predetermined time period by said identified consumer has been recorded.

Claim 7 (previously presented): The method of claim 6 further comprising passing a store loyalty card associated said unique identifier of said identified consumer through a reader at said kiosk to initiate recording of said visit to said kiosk.

Claim 8 (previously presented): The method of claim 7 wherein in response to passing said card loyalty card through said reader, said kiosk generates a printed list of discounts or special prices to said identified consumer.

Claim 9 (previously presented): The method of claim 1 wherein said promoting comprises posting a notice of said discount or special price for said first selected item via a computer network accessible at a location selling said first selected item; and said determining comprises determining if said first selected item has been scanned within the predetermined time period at said location by a scanning device, wherein said scanning device displays said discount or special price of said first selected item.

Claim 10 (previously presented): The method of claim 1 wherein said promoting comprises posting a notice of said discount or special price for said first selected item via a computer network accessible at a location selling said first selected item; and said determining comprises determining if said identified consumer has walked past an audio device at said location with a store loyalty card, wherein said audio device voices said discount or special price

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of said first selected item.

Claim 11 (previously presented): The method of claim 1 wherein said identifying comprises identifying said consumer with a limited direct identification.

Claim 12 (previously presented): The method of claim 11 wherein said identifying comprises identifying said consumer with a store loyalty card.

Claim 13 (original): The method of claim 11 wherein said discount or special price comprises a free sample.

Claim 14 (original): The method of claim 11 wherein said discount or special price comprises a reduction in price for a plurality of items.

Claim 15 (original): The method of claim 11 wherein said discount or special prices comprises points that can be accumulated and redeemed for related or unrelated items or cash in the future.

Claim 16 (previously presented): The method of claim 11 wherein said promoting comprises sending mail to said identified consumer and wherein said predetermined time period commences when said direct mail is to reach said identified consumer.

Claim 17 (previously presented): The method of claim 11 wherein said promoting comprises posting a notice of said discount for said first selected item on a kiosk at a location selling said first selected item; and said determining comprises determining if a visit to said kiosk within the predetermined time period by said identified consumer has been recorded.

Claim 18 (Canceled)

Claim 19 (previously presented): The method of claim 11 wherein said promoting

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comprises posting a notice of said discount or special price for said first selected item via a computer network accessible at a location selling said first selected item.

Claim 20 (currently amended): The method of claim 19 further comprising providing an audio device at said location selling said first selected item, wherein said audio device voices said notice of said discount or special price of said first selected item when said identified consumer walks past said audio device at said location with a store loyalty card.

Claim 21 (previously presented): The method of claim 1 further comprising promoting a second selected item with a discount or special price to said identified consumer, wherein the discount or special price for the second selected item is granted upon purchase of said second selected item by said identified consumer.

Claim 22 (previously presented): The method of claim 21 wherein said promoting of said second selected item is performed upon said acknowledgment of said promoting of said first selected item by said identified consumer.

Claim 23 (previously presented): The method of claim 21 wherein said identifying comprises identifying said consumer with a limited direct identification and wherein the discount or special price of said second selected item is granted upon purchase of said second selected item by said consumer using full direct identification of said consumer.

Claim 24 (previously presented): The method of claim 21 wherein said identifying comprises identifying said consumer with a limited direct identification and wherein the discount or special price of said second selected item is granted upon purchase of said second selected item by said consumer using only limited direct identification of said consumer.

Claim 25 (previously presented): The method of claim 21 wherein said identifying comprises identifying said consumer with a full direct identification and wherein the discount or special price of said second selected item is granted upon purchase of said second selected item

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by said consumer using full direct identification of said consumer.

Claim 26 (previously presented): The method of claim 21 wherein said identifying comprises identifying said consumer with a full direct identification and wherein the discount or special price of said second selected item is granted upon purchase of said second selected item by said consumer using only limited direct identification of said consumer.

Claim 27 (original): The method of claim 11 wherein purchase of said first selected item by said identified consumer is by credit or debit card.

Claim 28 – 25 (canceled)

Claim 36 (currently amended): A method of extending promotional discounts on items for sale to consumers, comprising:

identifying, using a computer network system, a consumer by a unique identifier;

promoting, using said computer network system, a first selected item with a discount or special price to said identified consumer;

withdrawing, using said computer network system, said discount or special price to said identified consumer;

granting, using said computer network system, said discount upon purchase of said first selected item by said identified consumer prior to said withdrawing;

holding, using said computer network system, said withdrawing in abeyance upon an acknowledgment of said promoting by said identified consumer, wherein said identifying, promoting, withdrawing and granting are performed in normal operation of said computer network system; and

~~detecting using said computer network system determining when said computer network system is not in normal operation that said granting could not be performed by said computer network system,~~

wherein responsive to said ~~detecting~~ determining, said method further comprising:

recording by said computer network a price paid for said first selected item by

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said consumer at a location; and

granting a rebate of the difference between said recorded price and said discount or special price at the next purchase of said first selected item by said consumer at said location.

Claim 37 (previously presented): The method of claim 1 wherein said first selected item is associated with a plurality of discounts or special prices including said discount or special price that is granted upon purchase of said first selected item by said identified consumer.

Claim 38 (previously presented): The method of claim 37 wherein said plurality of said discounts or special prices is used to ensure said identified consumer does not receive a discount or special price that said identified consumer is not entitled to receive.

Claim 39 (previously presented): The method of claim 37 wherein said plurality of discounts or special prices is used to facilitate customer service by issuing the best possible promotion given to any customer on a specific item when a system implementing claim 1 is not functioning.

Claim 40 (previously presented): The method of claim 1 further comprising organizing said promoting according to a logical layout pattern.

Claim 41 (previously presented): The method of claim 1 further comprising withholding said promoting from consumers who have not received or acted upon notifications of past promotions.

Claim 42 (previously presented): The method of claim 1 further comprising promoting said first selected item with said discount or special price to a plurality of consumers.

Claim 43 (previously presented): The method of claim 42 further comprising promoting said first selected item with said discount or special price to said plurality of consumers based on limited direct identification.

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Claim 44(previously presented): The method of claim 1 whereby said promoting further comprises accompanying said discount or special price with additional factual information other than discounts or prices.

Claim 45 (previously presented): The method of claim 1 whereby said promoting is accomplished by selecting one or more notification mechanisms based on the cost of said notification mechanisms and the customer's history of interacting with different notification mechanisms.

Claim 46 (currently amended): A method of extending promotional discounts on items for sale to consumers, comprising:

identifying a consumer by a unique identifier;

promoting a first selected item with a discount or special price to said identified consumer; wherein the discount or special price is granted upon purchase of said first selected item by said identified consumer within a predetermined time period;

determining ~~if whether~~ said identified consumer ~~has acknowledged~~ had made an acknowledgement of said promoting within the predetermined time period, said acknowledgement not including an attempt by said identified consumer to purchase said first selected item; and

prolonging the promoting beyond the predetermined time period upon determining that said consumer has ~~acknowledged~~ made the acknowledgement of said promoting within the predetermined time period; and

wherein said identifying, promoting, withdrawing, determining and prolonging are performed by a computer network systems

~~the predetermined period wherein the prolonging for said identified consumer is independent of availability of the first selected item during.~~

Claim 47 (previously presented): The method of claim 46 wherein said promoting comprises posting a notice of said discount or special price for said first selected item on a

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webpage.

Claim 48 (previously presented): The method of claim 19 further comprising scanning said first selected item at said location by a scanning device, wherein said scanning device displays said discount or special price of said first selected item.